

Senate Judiciary Committee  
Chairman, Vice Chairman, members,

January, 21, 2011

Topic; SB 114 – Sheriffs First, sponsored by Greg Hinkle

Without the consent of the legislature or the Governor if the legislature is not in session Montana's Constitution prohibits armed Federal agents operating in Montana for the 'preservation of the peace, or the suppression of domestic violence'. Art. II, sec 33

The sheriff is the highest elected law enforcement officer in the county and responsibility to enforce Montana's constitution is his. I urge the current legislature to recognize this fact by passing SB114.

It is contrary to Montana Constitution for any federal agency or agent - US Fish and Wildlife, IRS agents, FBI, CIA, BATF - to circumvent the authority of the county sheriff in attempt to serve warrant or affect arrest. In order to clarify and confirm the county sheriff's authority I ask that this 62<sup>nd</sup> Legislature of Montana pass SB 114 into law lending the authority of the State to the actions of the county sheriff without amendment.

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